

**IN UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS**

SHERMAN DIVISION

DATE: 6/23/2020

DISTRICT JUDGE
Amos L. Mazzant, III

COURT REPORTER: Jan Mason
COURTROOM DEPUTY: Keary Conrad

UNITED STATES OF AMERICA	
v.	4:18-CR-85
TYTON HESTER	

ATTORNEYS FOR PLAINTIFF	ATTORNEYS FOR DEFENDANT
Ernest Gonzalez and Colleen Bloss	James Mongaras and Katherine Reed

On this day, came the parties by their attorneys and the following proceedings were held in Sherman, TX:

TIME:	MINUTES: Voir Dire, Jury Selection and Jury Trial -Day 1
10:10 a.m.	Court is in session. Court notes appearance of counsel and the parties.
10:11 a.m.	Judge addresses the jury panel with preliminary voir dire.
10:31 a.m.	Government AUSA, Ernest Gonzalez addresses the panel and introduces all parties at his table.
10:32 a.m.	Defendant's counsel, Joey Mongaras addresses the panel and introduces all parties at the table.
10:33 a.m.	Government AUSA, Ernest Gonzalez reads the witness list to see if anyone on the panels knows anyone on the jury.
10:38 a.m.	Judge continue with the jury panel with preliminary voir dire.
10:55 a.m.	Government begins voir dire examination of panel.
11:29 a.m.	Defendant's counsel, James Mongaras begins voir dire examination of panel.
12:09 p.m.	Court recess for jury strikes.
1:05 p.m.	Court re-convened. Jury seated. Jury placed under oath.
1:09 p.m.	Jury excused to jury room for lunch orders to be taken.

1:10 p.m.	Court addresses remaining panel.
1:13 p.m.	Panel released.
1:14 p.m.	Court hears argument from counsel regarding challenge from defense regarding Government's strike for Batson challenge. Court overrules Defendant's objection. Court hears argument from Defendant's counsel regarding cross section. Court states statistics regarding cross section. Court overrules Defendant's objection. Court granted Defendant's motion for discovery. Court will docket the documents as part of the record but not as part of the information for the jury.
1:25 p.m.	Jury seated.
1:33 p.m.	Court begins preliminary instructions.
1:45 p.m.	Court adjourned for lunch.
2:48 p.m.	Jury seated.
2:48 p.m.	Government AUSA, Ernest Gonzalez begins opening statement.
3:15 p.m.	Defendant's counsel, James Mongaras begins opening statement.
3:18 p.m.	Government AUSA, Ernest Gonzalez calls DEA Special Agent, Joseph Mata. Witness placed under oath. Government AUSA, Ernest Gonzalez begins direct examination of DEA SA Mata.
3:41 p.m.	Government AUSA, Ernest Gonzalez offers Government's Exhibit 216. Objection by defense counsel for 401 and 403. Objection overruled. Government's Exhibit 216 admitted.
3:47 p.m.	Government AUSA, Ernest Gonzalez offers Government's Exhibit 1. Objection by defense counsel for 401 and 403. Objection overruled. Government's Exhibit 1 admitted.
3:50 p.m.	Government AUSA, Ernest Gonzalez offers Government's Exhibit 2A and 2B. Objection by defense counsel for hearsay, 401 and 403. Objection overruled. Government's Exhibit 2A and 2B admitted.
4:14 p.m.	Government AUSA, Ernest Gonzalez offers Government's Exhibits 4A, 4B, 5A, and 5B. Objection by defense counsel for hearsay, 401 and 403. Objection overruled. Government's Exhibits 4A, 4B, 5A, and 5B are admitted.
4:23 p.m.	Government AUSA, Ernest Gonzalez offers Government's Exhibit 7A. Objection by defense counsel for hearsay. Objection overruled. Government's Exhibit 7A is admitted.
4:23 p.m.	Government AUSA, Ernest Gonzalez offers Government's Exhibit 7B. Objection by defense counsel for hearsay, 401 and 403. Objection overruled. Government's Exhibit 7B is admitted.

4:26 p.m.	Government AUSA, Ernest Gonzalez offers Government's Exhibit 8. Objection by defense counsel for relevance, 401 and 403. Objection overruled. Government's Exhibit 8 is admitted.
4:31 p.m.	Government AUSA, Ernest Gonzalez offers Government's Exhibit 9. Objection by defense counsel for relevance, 401 and 403. Objection overruled. Government's Exhibit 9 is admitted.
4:32 p.m.	Government AUSA, Ernest Gonzalez offers Government's Exhibit 10. Objection by defense counsel for lack of foundation. Objection overruled. Government's Exhibit 10 is conditionally admitted, subject to the testimony of the chemist.
4:35 p.m.	Government AUSA, Ernest Gonzalez offers Government's Exhibit 12. Objection by defense counsel for relevance, 401 and 403. Objection overruled. Government's Exhibit 12 is conditionally admitted subject to the testimony of the chemist.
4:37 p.m.	Government AUSA, Ernest Gonzalez offers Government's Exhibit 197. No objection. Government's Exhibit 197 is admitted.
4:45 p.m.	Government AUSA, Ernest Gonzalez offers Government's Exhibit 15A. Objection by defense counsel for hearsay, relevance, and 403. Objection overruled. Government's Exhibit 15A is admitted.
4:46 p.m.	Government AUSA, Ernest Gonzalez offers Government's Exhibit 15B. Objection by defense counsel for hearsay, relevance, and 403. Objection overruled. Government's Exhibit 15B is admitted.
4:51 p.m.	Government AUSA, Ernest Gonzalez offers Government's Exhibit 17A and 17B. Objection by defense counsel for hearsay, relevance, and 403. Objection overruled. Government's Exhibit 17A and 17B are admitted.
4:54 p.m.	Government AUSA, Ernest Gonzalez offers Government's Exhibit 18A and 18B. Objection by defense counsel for hearsay, relevance, and 403. Objection overruled. Government's Exhibit 18A and 18B are admitted.
5:00 p.m.	Court adjourned.

DAVID O'TOOLE, CLERK

By: Kearney Conrad
Courtroom Deputy Clerk